


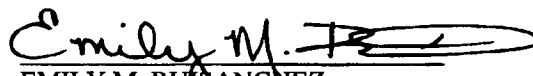
IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION
2007 DEC 26 P 4: 12
RECEIVED
CR. NO. 1:07po327-WC
DEBRA P. HACKETT, U.S.C. 13, Code of Ala. 13A-7-4]
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA
UNITED STATES OF AMERICA)
v.)
SHAWNET*)
BRITNEY SHAWNETTE SMITH) INFORMATION

The United States Attorney charges that:

On or about the 18th of January 2007, at Fort Rucker, Alabama, in the Middle District of Alabama, ~~BRITNEY SHAWNETTE~~ **SHAWNET** SMITH did knowingly enter and remain unlawfully in or upon the residence of another at 33 Urell Street, Fort Rucker, Alabama, in violation of Title 18, Section 13, United States Code, and Alabama Code 13A-7-4.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY


KENT B. BRUNSON
ASSISTANT U.S. ATTORNEY


EMILY M. RUIZ
SPECIAL ASSISTANT U.S. ATTORNEY
GA BAR NO. 142573
Office of the Staff Judge Advocate
Soldier Service Center, Building 5700
Fort Rucker, Alabama 36362-5000
(334) 255-9141

*CORRECTED PER ORDER of 4/2/08

STATE OF ALABAMA)
)
DALE COUNTY)

) AFFIDAVIT

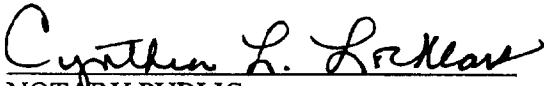
The undersigned, being first duly sworn, deposes and says:

I am a Military Police Investigator at Fort Rucker, Alabama. On 18 January 2007 at approximately 4:30 P.M. Ms. Lomperski arrived at the MP station and stated her husband witnessed BRITNEY SMITH exiting their house when he dropped his kids off at home. Ms. Smith claimed she was at the house visiting Ms. Lomperski's son, Ridgeway. However, Ms. Lomperski claimed her son was still at school when Ms. Smith was at the house. When Ms. Lomperski inventoried her house after Ms. Smith had been there, Ms. Lomperski determined she was missing \$600.00 in cash. A crime scene examination of the house was done, and no fingerprints were lifted from either Ms. Lomperski's drawer or wallet, which is from where she claimed the money was stolen. Ms. Smith consented to a search of her quarters, but the search resulted in negative findings. Ms. Smith was then brought to the station and advised of her rights, which she waived. Ms. Smith claimed she was returning a marijuana pipe she had borrowed from Ms. Lomperski and that she knew nobody was home when she entered Ms. Lomperski's house. Ms. Smith stated the door was unlocked and ajar when she arrived. On 22 January 2007 CPT Golden (SJA) opined there was sufficient evidence to title Smith with Criminal Trespassing and insufficient evidence for a larceny charge.



LO NENG, MPI, U.S. ARMY

Subscribed and sworn to (or affirmed) before me on this 29th day of October 2007.



NOTARY PUBLIC

My commission expires: NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: July 2, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS